

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

NSTAR Gas Company

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D.T.E. 06-10

**INSTRUCTIONS FOR ALL ATTORNEY GENERAL'S DISCOVERY
ISSUED TO THE COMPANY IN THIS PROCEEDING**

1. These Document and Information Requests call for all information, including information contained in documents, which relates to the subject matter of the requests and which is known or available to NSTAR Gas Company or to any individual or entity sponsoring testimony or retained by the Company to provide information, advice, testimony or other services in connection with this proceeding.
2. Where a Request has a number of separate subdivisions or related parts or portions, a complete response is required to each such subdivision, part, or portion. Any objection to a Request should clearly indicate the subdivision, part, or portion of the Request to which it is directed.
3. If information requested is not available in the exact form requested, provide such information or documents as are available that best respond to the Request.
4. These requests are continuing in nature and require supplemental responses when further or different information with respect to the same is obtained.
5. Each response should be furnished on a separate **DATED** page headed by the individual Request being answered. Individual responses of more than one page should be stapled or bound and each page consecutively numbered.
6. Each Document and Information Request to "Please provide all documents..." or similar phrases includes a request to "identify" all such documents. "Identify" means to state the nature of the document, the date on which it was prepared, the subject matter and the titles and the names and positions of each person who participated in the preparation of the document, the addressee and the custodian of the documents. To the extent that a document is self-identifying, it need not be separately identified.

7. For each document produced or identified in a response which is computer generated, state separately (a) what types of data, files, or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (e.g., punch cards, tapes), (c) a description of the recording system employed (including descriptions, flow charts, etc.), and (d) the identity of the person who was in charge of the collection of input materials, the processing of input materials, the data bases utilized, and the programming to obtain the output.
8. If a Document and Information Request can be answered in whole or part by reference to the response to another Request served in this proceeding, it is sufficient to so indicate by specifying the other Request by participant and number, by specifying the parts of the other response which are responsive, and by specifying whether the response to the other Request is a full or partial response to the instant Request. If it constitutes a partial response, the balance of the instant Request must be answered.
9. If the Company cannot answer a Request in full, after exercising due diligence to secure the information necessary to do so, state the answer to the extent possible, state why the Company cannot answer the Request in full, and state what information or knowledge is in the Company's possession concerning the unanswered portions.
10. If, in answering any of these Document and Information requests, you feel that any Request or definition or instruction applicable thereto is ambiguous, set forth the language you feel is ambiguous and the interpretation you are using responding to the Request.
11. If a document requested is no longer in existence, identify the document, and describe in detail the reasons the document is unavailable.
12. Provide copies of all requested documents. A response which does not provide the Attorney General with the responsive documents, and requests the Attorney General to inspect documents at any location is not responsive.
13. If you refuse to respond to any Document and Information Request by reason of a claim or privilege, or for any other reason, state in writing the type of privilege claimed and the facts and circumstances you rely upon to support the claim of privilege or the reason for refusing to respond. With respect to requests for documents to which you refuse to respond, identify each such document.
14. Each request for information includes a request for all documentation which supports the response provided.
15. Provide four (4) copies of each response and two (2) copies of all bulks.

16. The term "Company" refers to NSTAR Gas Company. Unless the request specifically provides otherwise, the term Company includes all witnesses, representatives, employees, and legal counsel.
17. Please furnish each response on a separate sheet of paper, beginning with a restatement of the question.

**ATTORNEY GENERAL'S FIRST SET OF
INFORMATION AND DOCUMENT REQUESTS**

- AG-1-1 Please provide copies of all documents relating to the request for proposals ("RFP") associated with the Company's competitive solicitation process to procure gas supply in this matter, D.T.E. 06-10. Include copies of all the initial request letter(s) sent to each bidder, any updates in those letters, original RFPs, modification or amendments to the RFPs, and any responses sent by the RFP recipients to the Company. Include in this response all evaluations, studies, reports, correspondence, e-mails, notes, presentation materials, and work papers related to the RFP response.
- AG-1-2 Please describe any RFP pre-bid conference that took place that would allow RFP recipients an opportunity to ask questions about the RFP and describe any other opportunities that allowed recipients to receive clarification and better understand the Company's objectives stated in the RFP.
- AG-1-3 Please provide a detailed explanation of the criteria the Company used to develop the list of RFP recipients solicited to participate in the RFP process.
- AG-1-4 Please provide copies of all existing, pending or proposed and any expired contracts between NSTAR or any affiliate of NSTAR and Constellation or any affiliate of Constellation (excluding the contract up for approval in this matter, D.T.E. 06-10). Include all original contracts and all amendments.
- AG-1-5 Please provide a full explanation of why NSTAR and Constellation chose pricing based on NYMEX last day settlement price for each month. Please provide copies of all documents relating to the process of setting the commodity price. Include in this response all evaluations, studies, reports, correspondence, e-mails, notes, presentation materials, and work papers related to the commodity price.

March 7, 2006